

Solid Waste Interpretive Guidance Statement (SWIGS)

INSPECTIONS OF CLOSED SWMFs

version: December 12, 1996

This guidance is intended to clarify the requirements under 9 VAC 20-80-560.C regarding inspections of solid waste management facilities that have closed.

Summary: The regional offices are responsible for inspections of all SWMFs that have completed closure activities. The regional offices are to inspect these facilities to determine if the closure is complete and adequate. If a closure inspection has not been performed as required, it should be performed as soon as practical. Upon completion of the closure inspection, the regional office is to notify the facility, in writing, of the findings from the inspection. The language in this written notification should clearly indicate whether the department considers the SWMF officially closed, or if additional closure activities at the SWMF are required to officially close the facility. The regional offices make the final determination on whether a facility is officially closed or not. Inspections of officially closed SWMFs should be performed during the facility's post-closure care period. Once a facility has completed its post-closure care period, additional inspections should not occur under normal circumstances.

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In accordance with 9 VAC 20-80-560.C, the department shall inspect all solid waste management facilities that have been closed to determine if the closing is complete and adequate. It shall notify the owner of a closed facility, in writing, if the closure is satisfactory, and shall order necessary construction or such other steps as may be necessary to bring unsatisfactory sites into compliance with this chapter.

As pointed out in the document Solid Waste Landfill Closure Responsibilities (ver 10-1/95), it is the responsibility of the regional office to:

Conduct a closure inspection of landfills that have submitted a copy of the recorded deed notation and/or a notice that closure has been completed, to ensure that:

- a) the facility has been closed in accordance with the closure plan and the VSWMR,*
- b) finished side slopes are stable and configured to adequately control erosion and run-off,*
Note: there are exceptions to this requirement as noted in the VSWMR,
- c) the facility has installed a final cover system in accordance with the final closure plan and the VSWMR,*
- d) the site has been properly baited for rodent and vector control, if applicable,*
- e) vegetative cover has been properly established,*
Note: according to the VSWMR, vegetation shall be deemed properly established when it has survived the first mowing and there are no large areas void of vegetation.
- f) at least one sign is posted at the landfill, notifying persons of the landfill closing and providing notice prohibiting further receipt of waste,*
- g) suitable barriers to prevent new waste from being deposited into the landfill have been provided,*
- h) a survey plat meeting the requirements of the appropriate section of the VSWMR has been submitted to local land recording authority.*

The closure inspection for landfills, described above, is an example of the type of inspection action referred to in 9 VAC 20-80-560.C. Although the specific elements of the inspections and the evaluation criteria will differ, similar closure inspections are required at all permitted SWMFs that have completed closure activities. The closure inspection should be performed shortly after the facility has notified the department (i.e., regional office)

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that closure activities at the facility have been completed. If a closure inspection has not been performed at a closed facility as required under 9 VAC 20-80-560.C, it should be performed as soon as practical. For inactive/closed facilities that have not notified the department that they have completed closure activities, yet the facility's closure has extended beyond the time normally allowed for closure (i.e., 180-210 days after the last waste shipment is received) or the facility's closure has extended beyond their approved closure extension period, the regional office should contact or visit the facility to determine the status of the facility, specifically noting if closure activities at the facility have been completed. Once it has been determined that the facility has completed its closure activities, then the regional office should conduct the Aclosure inspection and notify the owner or operator of their findings. *[Note: This should occur at any inactive/closed facility that has not been Aofficially closed by the department; particularly those old-closed facilities in which the official status has not been determined or cannot be verified otherwise].* Facilities that have not completed closure activities within six months (or other period as specified in the facility's permit) after beginning closure activities, and have not received an extension of the closure period from the director, may be in violation of the VSWMR.

The Aclosure inspection is meant to be a one time event unless the facility is found not to be Aofficially closed based on the inspection. In these cases follow-up Aclosure inspections would be warranted until the facility is Aofficially closed.

Upon completion of the Aclosure inspection for a SWMF, the regional office is to notify the facility, in writing, of the findings from the inspection. The language in this written notification should clearly indicate whether the department (i.e., regional office) considers the SWMF Aofficially closed or if additional closure activities at the SWMF are required to Aofficially close the facility. In addition to notifying the facility, the OSRR-FPS, OTA, and OPM should be made aware of the findings from these inspections (i.e., copied on the correspondence to the facility). Currently this written notification is in the form of a letter to the facility from either the inspector or the compliance manager. Also, currently the findings from the Aclosure inspection are documented on the Astandard Compliance Report. A copy of this Afinal compliance report is usually not sent to the facility but is maintained in the regional office. To improve this process, a AClosure Inspection Report will be developed by OTA for the purposes of documenting the findings from Aclosure inspections.

At closure, owners or operators of transfer stations, material recovery facilities, incinerators, thermal treatment facilities, and energy recovery facilities, are required to remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate. Unless the facility has waste or contamination remaining after completing closure activities, and must close as a landfill, these types of facilities will not have a post-closure care period. Additional inspections of these types of Aofficially closed facilities should not occur under normal circumstances.

Landfills typically have a post-closure care period of either 10 years or 30 years (depending on the type of facility and the date of closure). Inspections of Aofficially closed landfills should occur only during the facility's post-closure care period. Transfer stations, material recovery facilities, incinerators, thermal treatment facilities, and energy recovery facilities, that **cannot** remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate will have a post-closure care period and should also be inspected during that period.

Under the Adjusted Workload Analysis for Solid Waste Compliance Inspectors (April 20, 1995), inspections of

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Aofficially closed≡ landfills should occur at a frequency of at least once a year. However, as mentioned above, these inspections should only occur during the landfill=s post-closure care period. The Workload Analysis does not specify a frequency for inspections of other types of closed SWMFs. As mentioned above, unless these types of facilities have waste or contamination remaining after completing closure activities they will not have a post-closure care period. If they do have waste or contamination remaining, inspections of these other types of Aofficially closed≡ SWMFs should occur at the same frequency as inspections of Aofficially closed≡ landfills (i.e., at least once every year), during their post-closure care period. Once a facility has completed its post-closure care period, additional inspections of the facility should not occur under normal circumstances.

During the post-closure care period, inspections of Aofficially closed≡ landfills should be documented on the appropriate ASanitary/Industrial/CDD Landfill - Post-Closure Care - Compliance Report. Similar compliance reports will be developed for inspections of other types of Aofficially closed≡ SWMFs during their post-closure care period. Except for Aclosure inspections≡, inspections of an inactive facility or any facility that is not considered Aofficially closed≡ should be documented on the appropriate standard ACompliance Report≡ regardless of the status of any specific units at the facility. A facility (e.g., landfill) that is still accepting waste may have units that have closed, however, the facility is still considered active. Only one compliance report should be used to document the findings from inspections of these facilities. There should not be a separate compliance report for the active cells and another compliance report for the closed cells.